

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF OKLAHOMA**

CHARLES BENJAMIN KILLSFIRST,)

Petitioner,)

v.)

Case No. CIV-23-1076-J

RANDY HARDING,)

Respondent.)

ORDER

Petitioner, a pro se state prisoner, filed a petition for habeas corpus under 28 U.S.C. § 2254. This matter was referred to United States Magistrate Judge Amanda Maxfield Green consistent with 28 U.S.C. § 626(b)(1)(B). [Doc. No. 5]. Thereafter, Judge Green issued a Report and Recommendation recommending the Court deny Petitioner's application for leave to proceed in forma pauperis and if Petitioner does not pay the \$5.00 filing fee in full to the Clerk of Court within twenty-one days of any order adopting the Report and Recommendation, that this action be dismissed without prejudice to refiling. [Doc. No. 6]. On December 18, 2023, Petitioner paid the \$5.00 filing fee.

Upon review of the Report and Recommendation, and in light of Petitioner's payment of the filing fee, the Court ADOPTS the Report and Recommendation [Doc. No. 6], DENIES Petitioner's Application to Proceed in District Court without Repaying Fees or Costs [Doc. No. 2], and REFERS this case back to Judge Green for further proceedings.

IT IS SO ORDERED this 19th day of December, 2023.


BERNARD M. JONES
UNITED STATES DISTRICT JUDGE